

## WOODBURY FIGHTS FOR BANK BOND TAX

Hearing on Mandamus to Exclude \$145,896,899 From Plan Is Put Over.

## UP-STATE LEVIES BEGUN

ALBANY, Jan. 22.—Attorney-General Woodbury entered vigorous opposition today to the application of Corporation Counsel Hardy of New York city for a peremptory writ of mandamus to prevent the State Board of Equalization from including State and national bank shares in the aggregate valuations of property for the purpose of fixing the amount of State taxes to be raised, before Supreme Court Justice William P. Rudd. For three hours Deputy Attorney-General Hinman and Assistant Corporation Counsel King thrashed out the merits of the controversy between the State and the greater city. Upon the request of Mr. King the court deferred decision in order to give the Corporation Counsel's office time to file supplemental briefs.

To grant such a writ, the State's attorney said, would be to throw the tax machinery into confusion. Already, he pointed out, millions of dollars have been collected in the up-State counties where a discount is granted for early payment. Inquiries made by the Attorney-General recently disclosed that in forty-four counties taxes had been levied, tax rolls placed in the hands of the collectors and a large proportion of the taxes paid.

**Thinks Law Exceeded.**  
Assistant Corporation Counsel King set forth that the State Board of Equalization should not have included bank stock in the equalization plan. He said that the tax law does not contemplate such inclusion, that there were no figures lawfully before the board upon which it could predicate any such inclusion and that the special provision of the tax law separately taxing bank stock is justification for considering that it was not intended to be included in any valuation upon which a State tax is levied. He called attention to the fact that in 1912 a similar case was not so included and for that reason should not now be made the basis of State levy.

Deputy Attorney-General Hinman held that the Court of Appeals has ruled bank stock to be personal property subject to taxation and that it was properly included by the board of Equalization. He contended that New York city should be compelled to pay its proportion of the State tax based upon the inclusion of bank stock. The city of New York, under another section of the tax law, receives about \$3,500,000 for its own purposes and now is complaining because it has to pay only \$600,000 to the State because of the inclusion of bank stock in the aggregate valuation, he said.

**Similar Case Cited.**  
It was pointed out that the Court of Appeals in a county equalization case, where the action was directed against the board of supervisors on precisely the same grounds, held that every just and equitable consideration required the inclusion of bank stock. The decision was made in a city of Geneva case, Mr. Hinman said.

The contention of the State was that the board of Equalization had no authority to include bank stock in the aggregate valuations, and the fact that previous boards had failed to do so had no bearing upon the performance of its duty by the present board.

The action instituted by Corporation Counsel Hardy is the outcome of his disagreement with a recent opinion of Attorney-General Woodbury, in which the latter held that shares of bank stock are personal property and taxable as such for State, county and local purposes at the rate and in the manner prescribed by section 21 of the tax law.

The Attorney-General said that the inclusion of bank stock in the aggregate valuation does not result in double taxation, but in the State receiving its proper proportionate share of the tax.

The decision of Justice Rudd is not expected for at least three weeks. The assessed valuation of the bank stock involved in the present action is \$485,585,559, the greater part of which is held in New York city.

**NURSES FOR TSETSE VICTIM.**  
Volunteers From Hospital to Care for Stricken Physician.

Mrs. Perrell, the aged mother of Dr. Albert C. Perrell, the tsetse victim at 14 Haywood street, Brooklyn, was much cheered yesterday by the volunteer aid of a trained nurse from one of the hospitals and the assurance from her that she would be followed by other nurses from day to day without any cost to Mrs. Perrell. She was also much comforted by the kind offices of the neighbors in the neighborhood, who had volunteered to do her housework.

Dr. Louis L. Seaman of Manhattan, 502 Madison street, and an assistant on Oriental and African diseases, who was in consultation with Dr. Perrell, the attendant physician, left yesterday to make any examination.

Speaking generally, sleeping sickness, he said, is one of the most terrible maladies that can afflict mankind. Thousands of physicians are investigating the subject and apparently they are little nearer a solution of the trouble than they were a decade ago. No effective remedy for the sickness has been found. I wish some American would be a cure for the trouble. It would be a great honor to the nation if this could be done.

**CHORUS OF 3,000 PLANNED.**  
Meeting in Irving School Today of Community Organization.

An organization meeting, under leadership of Harry H. Barnhardt of Rochester, a community chorus will take place at the Washington Irving High School this afternoon. The community centers and other groups interested in a thousand voices today, and a chorus of 3,000 will be organized eventually.

The Rochester chorus is known throughout America. Singers without special vocal talent or the ability to read notes are trained in ten rehearsals to render "The Messiah" and other oratorios. The New York chorus will be open to every one without reference to special voice or previous training.

## "PLEASE PASS THAT PORK TO NEW YORK"

Representative Hulbert Tells House This City Really Needs the Money.

## TOO LONG NEGLECTED

WASHINGTON, Jan. 22.—While members from Western States were rallying around the \$25,000,000 good roads bill in the House today Representative Hulbert of New York arose and made a few well chosen observations designed to impress his fellow lawmakers with the fact that New York city is still on the map and entitled to consideration when appropriations are being passed around.

Mr. Hulbert said he did not know whether he favored the pending bill or not, but that New York and New Yorkers generally stood for the common good even if sometimes ignored when "pork" was being parcelled out. He took occasion to say that New York State had expended \$100,000,000 in the improvements of its roads and that the good work was still going on.

He then sharply directed attention to the fact that while commerce is growing by leaps and bounds in the port of New York, Congress had not appropriated a penny for the improvement of the East River since 1912. He also pointed out that despite the fact that the New York post office contributed yearly more than 10 per cent of the postal revenue, the Postmaster-General contemplated reducing the number of mail deliveries in New York city. He thought it high time that members from the West and South should realize that New York was an important part of the Federal body politic.

"Three years after the close of the civil war," said Mr. Hulbert, "Congress passed a law making an appropriation to deepen the channel of the East River to twenty-six feet by the removal of rocks. Very little has been provided for the maintenance of that improvement. Up to 1912 this House had never seen fit to appropriate a greater amount of money for the East River than 70 per cent of the amounts recommended by the army engineers."

"In 1912 an army board reported that further improvement of the East River was imperatively necessary. It recommended that a thirty-five foot channel should be dredged into New York Bay from the Battery to Throgs Neck, a distance of sixteen miles, which would have given us a deep waterway entrance from the Atlantic Ocean to the east of New York Bay and would have provided what is not in existence in any port in the world, namely, a double entrance and a double exit to New York harbor for naval purposes."

Mr. Hulbert pointed out that for military as well as commercial purposes it was highly important that the water environs of New York city should be improved. He recalled the letter recently written by the Secretary of the Navy, who said that with the present depth of water in New York it was not possible to dock the big ships of the navy at the New York yard.

Mr. Hulbert was critical of the present administration of the Post office Department. He said that despite the increase in the postal business in New York city announcement has been made that the city service was to be curtailed despite protests made by New York business men. Mr. Hulbert expressed the hope that the Postmaster-General would reconsider this determination.

## ROCKEFELLER DOCTORS TO BUILD IN JERSEY

Home for Medical Research Institute Near Plainshoro Will Cost \$287,530.

NEW BRUNSWICK, Jan. 22.—The Rockefeller Institute for Medical Research of New York and New Jersey will erect buildings worth \$287,530 on the property it recently acquired in South Brunswick township near Plainshoro, according to a building contract filed at the County Clerk's office by Wood & Leaning, Trenton attorneys. The contractor is the Matthews Construction Company of Princeton and the architects Coolidge & Shattuck of New York.

The following buildings will be erected: Laboratories at a cost of \$90,415; power house and tunnels, \$102,558; operating building, \$24,439; isolation building, \$27,543; dog kennels, \$19,629; roads, \$13,838; walks, \$5,916. The contract price is divided as follows: General construction, \$204,781; heating, ventilating and refrigeration, \$38,429; plumbing, \$19,955; electrical work, \$25,255.

According to the contract the buildings will be known as "The Rockefeller Institute for Medical Research." The work is to be finished by September 1, 1916.

## WILL BE PAID FOR INJURY.

Verdict for \$12,000 to Epileptic Boy Is Affirmed.

The Appellate Division of the Supreme Court has affirmed a judgment for \$12,000 in behalf of Thomas Gibson, now 5 years old, who is an epileptic as the result of an injury when he was 22 months old. The suit was brought in the name of Mrs. Nellie Melville, an aunt, of 263 West 130th street, as guardian ad litem, against Joseph S. Jostheim, owner of an apartment house at 227 West 143d street.

The testimony showed that on August 24, 1912, a neighbor of the Gibsons took the baby out for an airing. The child leaped against the iron fence surrounding the areaway of the defendant's property and a post gave way and precipitated the child into the basement. The boy suffered a fractured skull and broken leg and as a result of the injury traumatic epilepsy developed, which will be permanent.

The boy's mother engaged an attorney at once to bring suit. He filed an action in the City Court, but settled the case for \$150. The mother then died and her sister had herself appointed guardian ad litem of the boy. She turned the case over to her own attorney, who found that the proceedings in the case were void because the papers were imperfect. He brought a Supreme Court action for \$20,000 and a judgment for \$12,000 was returned by a jury before Justice Page last May.

## B. R. T. ENJOINS THIELE.

Company Gets Injunction Against One Share Stockholder.

Supreme Court Justice Van Sicken in Brooklyn yesterday granted a temporary injunction restraining William Thiele from making any improper use of a list of stockholders of the Brooklyn Rapid Transit Company.

## LONG TALK BY VANDERLIP.

Banker to Address Queens Diners From San Francisco.

Frank A. Vanderlip, president of the National City Bank of New York, will address the diners at the fifth annual dinner of the Chamber of Commerce of

the Borough of Queens by long distance telephone from Los Angeles, Cal., on "Business Conditions After the Termination of the European War." Mr. Vanderlip was invited to speak in person, but informed G. G. M. Thomas, president of the Queens Chamber of Commerce, that he would leave the city before that date for a trip through the

West. An invitation was then extended to him to speak by telephone to the 500 diners. The dinner will be held at the Waldorf-Astoria on February 2.

As the grand ballroom will be equipped with 700 telephone receivers, one at the place of each guest and in the boxes for ladies, the message of Mr. Vanderlip will be heard direct by every one present. In addition Mayor

Rolph of San Francisco and Walton N. Moore, president of the San Francisco Chamber of Commerce, will speak over the wire.

Among the prominent men from whom acceptances have been received are George W. Perkins, who will speak on "Commercial Preparedness"; Mayor Mitchell, who has been asked to speak on "National Preparedness"; George

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IN this new world, multitudes are looking upward—are glimpsing above the strife for existence, the greater things of life. The very ingenuity which has made ours a nation of commerce has hastened also the pace of culture—has sharpened the vision of those who have seen but dimly—has brought new understanding to those who have heard not—is broadening, making happier, the lives of all.

HAROLD BAUER, famous pianist-composer, in an interview the other day, said: "In the sixteen years since I first played before an American audience, I have remarked a wonderful progress in musical appreciation and

culture. A country, in my first days here, almost beyond the frontiers of musical thought and knowledge, the United States is fast becoming a nation of music-lovers. And there can be no doubt that this change is due largely to the influence of such remarkable instruments as the Pianola which have made music available and practical to every home."

THE Pianola is bringing into so many other homes new advantages, new happiness—it is making so many lives larger, finer with the sweetness, the power, the great beauty of music—why not let it help you and your family and friends to keep pace with the rising tide of culture that is making of us a greater and finer people than the world has ever before known?

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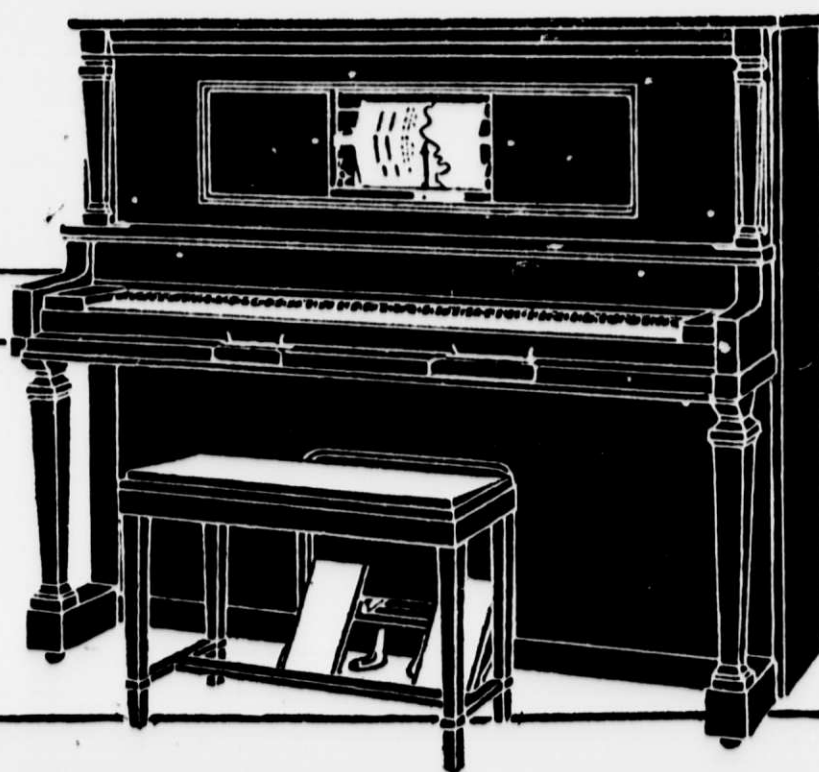
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